1			Tit	tle 15 - Mississippi State Department of Health
2				Part III - Office of Health Protection
3				Subpart 60 – Professional Licensure
4 5	СНАР	TER 07		REGULATIONS GOVERNING REGISTRATION OF MEDICAL RADIATION TECHNOLOGISTS
6	100	GENEF	RAL	
7 8 9		100.01	enfor	Al Authority: The State Board of Health is authorized to establish and rece these rules and procedures by virtue of Sections 41-58-1 et seq. of issippi Code of 1972, annotated.
10 11		100.02		nitions: The following terms shall have the meaning set forth below, ss the context otherwise requires:
12			1.	"Department" means the Mississippi State Department of Health.
13 14 15			2.	"Licensed practitioner" means a person licensed or otherwise authorized by law to practice medicine, dentistry, chiropractic, osteopathy or podiatry, or a licensed nurse practitioner, or physician assistant.
16 17			3.	"Ionizing radiation" means x-rays and gamma rays, alpha and beta particles, high speed electrons, neutrons and other nuclear particles.
18 19 20			4.	"X-radiation" means penetrating electromagnetic radiation with wavelengths short than ten (10) nanometers produced by bombarding a metallic target with fast electrons in a vacuum.
21 22 23			5.	"Supervision" means responsibility for, and control of, quality radiation safety and protection, and technical aspects of the application of ionizing radiation to human beings for diagnostic and/or therapeutic purposes.
24 25 26 27 28 29			6.	"Medical radiation technology" means the science and art of applying ionizing radiation to human beings for diagnostic and/or therapeutic purposes. The Department issues three (3) types of registrations for certain specialized disciplines of medical radiation technology, as further described in § 102.01. The Department does not issue registrations to limited x-ray machine operators.
30 31 32 33			7.	"Radiologic technologist" means a person other than a licensed practitioner who has passed a national certification examination recognized by the Department such as the American Registry of Radiologic Technologist examination or its equivalent, who applies x-radiation or ionizing radiation to any part of the human body for

35 36 37				diagnostic purposes and includes the administration of parenteral and enteral contrast media and administration of other medications or procedures incidental to radiologic examinations.
38			8.	"Nuclear medicine technologist" means a person other than a licensed
39			0.	practitioner who has passed a national certification examination national
40				certification examination recognized by the Department such as the
41				American Registry of Radiologic Technologist examination or the Nuclear
42				Medicine Technology Certification Board examination or its equivalent,
43				who performs in vivo imaging and measurement procedures and in vitro
44				nonimaging laboratory studies, prepares radiopharmaceuticals, and
45				administers diagnostic/therapeutic doses of radiopharmaceuticals to
46				human beings while under the supervision of a licensed practitioner who is
47				licensed to possess and use radioactive material.
41				ncensed to possess and use radioactive material.
48			9.	"Radiation therapist" means a person other than a licensed practitioner
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50				examination recognized by the Department such as the American Registry
51				of Radiologic Technologist examination or its equivalent, who applies x-
52				radiation and the ionizing radiation emitted from particle accelerators,
53				cobalt sixty (60) units and sealed sources of radioactive material to human
54				beings for therapeutic purposes while under the supervision of a licensed
55				radiation oncologist or a board certified radiologist who is licensed to
56				possess and use radioactive material.
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57			10.	"Limited x-ray machine operator" means a person other then a licensed
58				practitioner or radiologic technologist who is issued a permit by the
59				Mississippi State Board of Medical Licensure to perform medical
60				radiation technology limited to specific radiographic procedures on certain
61				parts of the human anatomy, specifically the chest, abdomen, and skeletal
62				structures, and excluding fluoroscopic and contrast studies, computed
63				tomography, nuclear medicine, radiation therapy studies, and
64				mammography.
65			11.	"Council" means the Medical Radiation Advisory Council.
			10	HA . H 1 11
66			12.	"Act" shall mean Section 41-58-1 et seq. of Mississippi Code of 1972,
67				annotated.
68			13.	"State" shall mean the State of Mississippi".
00			15.	State State State of Mississippi .
69	101	MEDIC	CALF	RADIATION TECHNOLOGISTS ADVISORY COUNCIL
70		("COU	NCIL	")
71		101.01	Cou	ncil Structure and Purpose:
72			1	The Council shall consist of ten (10) members who shall some without
72 73			1.	The Council shall consist of ten (10) members, who shall serve without
13				compensation. They shall be selected by the Department, to serve under

74 75 76 77			tho app	jurisdiction of the Department for a three (3) year term, except for se members appointed to the first council, four (4) of whom shall be pointed for two (2) year terms, and five (5) of whom shall be appointed three (3) year terms.
78		2.	The	e council composition shall be as follows:
79 80			a.	One (1) radiologist who is an active practitioner and member of the Mississippi Radiological Society;
81			b.	One (1) licensed family physician;
82			c.	One (1) licensed practitioner;
83			d.	Two (2) registered radiological technologists;
84			e.	One (1) nuclear medicine technologist;
85			f.	One (1) radiation therapist;
86			g.	One (1) limited x-ray machine operator;
87			h.	One (1) radiation physicist;
88			i.	One (1) hospital administrator; and
89 90			j.	The State Health Officer, or his designee, who shall serve as ex officio chairman with no voting authority.
91 92 93 94 95 96 97 98 99		3.	exe wit reg cer of a cer cer adv	council members engaged in medical radiation technology and not empt from registration must, at the time of appointment, be registered in the Department, except for the initial council members, who must be istered within one (1) month of the Department issuing registration tificates. Any other person serving on the council who is a practitioner a profession or occupation required to be licensed, credentialed, or tified in the state, shall hold an appropriate license, credential, or tificate issued by the state. The purpose of the Council is to serve in an visory capacity to the Department in matters relating to the ministration and interpretation of the Act.
101 102 103	101.02	-	artm	The Council shall meet at places and at times designated by the ent. A quorum shall consist of five (5) members of the Council, and necessary for the Council to take action by vote.
104				
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102 REGISTRATION

107

108 102.01 Types of Registration: 109 "Radiologic technologist registration" means the registration issued by the Department which permits a person to apply x-radiation or ionizing 110 111 radiation to any part of the human body for diagnostic purposes, and includes the administration of parenteral and enteral contrast media and 112 administration of other medications or procedures incidental to radiologic 113 examinations. 114 115 "Nuclear medicine technologist registration" means the registration issued by the Department which permits a person to perform in vivo imaging and 116 measurement procedures and in vitro nonimaging laboratory studies, to 117 prepare radiopharmaceuticals, and to administer diagnostic and therapeutic 118 doses of radiopharmaceuticals to human beings while under the 119 supervision of a licensed practitioner who is identified as an authorized 120 user on a Department license that authorizes the medical use of radioactive 121 material. 122 "Radiation therapist registration" means the registration issued by the 123 Department which permits a person to apply x-radiation and the ionizing 124 radiation emitted from particle accelerators, cobalt-60 units and sealed 125 sources of radioactive material to human beings for therapeutic purposes 126 while under the supervision of a licensed radiation oncologist or a board 127 certified radiologist who is identified as an authorized user by the 128 Department to possess and apply x-radiation and the ionizing radiation 129 130 emitted from particle accelerators, cobalt-60 units and sealed sources of radioactive material to human beings for therapeutic purposes. 131 132 102.02 General Requirements An applicant for registration with the Department shall submit to the Department, verified under oath, written evidence in form 133 and content satisfactory to the Department that the applicant: 134 135 is of good moral character, which is a continuing requirement for registration. 136 137 is a United States citizen or has status as a legal resident alien, which is a 138 continuing requirement for registration. 139 has not been convicted of a crime relating to dishonest or unethical 140 conduct, which is a continuing requirement for registration. 141 has not been declared mentally incompetent by any court, and if any such 142 decree has ever been rendered, that the decree has since been changed, 143 which is a continuing requirement for registration.

144 145		 is free from dependency on alcohol or drugs, which is a continuing requirement for registration.
146 147 148		6. has not had a license or registration in medical radiation technology suspended or revoked in any other state, jurisdiction, or country, which is a continuing requirement for registration.
149	102.03	Specific Registration Requirements:
150 151 152 153 154		 Radiologic technologist registration- An applicant for registration as a radiologic technologist shall submit to the Department written evidence in form and content satisfactory to the Department that the applicant is an American Registry of Radiologic Technologist (ARRT) Registered Medical Radiologic Technologist.
155 156 157 158 159		2. Nuclear medicine technologist registration - An applicant for registration as a nuclear medicine technologist shall submit to the Department, verified by oath, written evidence in form and content satisfactory to the Department that the applicant is an American Registry of Radiologic Technologist (ARRT) Registered Nuclear Medicine Technologist and/or the Nuclear Medicine Technologist Certifying Board (NMTCB).
161 162 163 164 165		3. Radiation therapist registration - An applicant for registration as a radiation therapist technologist shall submit to the Department written evidence in form and content satisfactory to the Department that the applicant is an American Registry of Radiologic Technologist (ARRT) Registered Radiation Therapist Technologist.
166 167 168 169 170	102.04	Temporary Permit: The Department may, in its discretion, issue a temporary permit to practice a specialty of medical radiation technology for a period of six (6) months to an applicant for a registration, pending the completion of the requirements for registration, providing the applicant submits to the Department, verified by oath, in form and content satisfactory to the Department that:
172 173 174		 the applicant has successfully completed an approved program accredited by the JRCERT or the JRCNMT, or their successor organizations, in the registration specialty; and
175 176		the applicant has qualified to sit for the appropriate ARRT or NMTCB specialty examination.
177 178		3. Applications under this section must be submitted within 1 year from the date of graduation from an approved program.
179 180 181	102.05	Abandonment: An application shall be deemed abandoned by the Department if, after two years from the date of filing, the requirements for registration have not been completed and submitted to the Department

182 183 184 185 186		102.06	<u>Production and Display of Registration:</u> A person registered to practice medical radiation technology in the State of Mississippi shall be issued a "Certificate of Registration" and "Registration Identification Letter." The "Certificate of Registration" or copy thereof shall be on record at the place(s) of employment
187	103	RENEV	WAL OF REGISTRATION
188		103.01	General Provisions:
189 190			 The Department shall issue registrations which shall be renewed biennially, after the initial registration phase.
191 192			2. The licensure year shall be construed as September 1st through August 31st.
193 194 195 196		103.02	<u>Procedure for Renewal of Registration:</u> The Department shall mail notices, at least thirty (30) days prior to the renewal date, to the last address registered with the board, to the persons to whom registrations were issued or renewed during the preceding renewal period. The registrant shall:
197			1. complete the renewal form, either on-line or in paper form;
198 199			 if required, submit proof of continuing education credit as detailed in Section V of these regulations;
200 201			 file the above with the Department prior to the end of the renewal period with the appropriate fee.
202 203 204 205 206 207		103.03	<u>Failure to Renew:</u> A registrant who does not file, with the Department, his renewal application within the renewal period will be deemed to have allowed his registration to lapse. Said registration may be reinstated by the Department, in its discretion, by the payment of the renewal fee and a reinstatement fee, provided said application for reinstatement is made within two (2) years of the end of the renewal period.
208	104	CONTI	NUING EDUCATION
209		104.01	Requirements:
210 211			 Regulations set the requirement of twenty-four (24) clock hours to be accrued during the registration term.
212 213 214 215			2. Individuals applying for initial registration within a registration term must accrue continuing education hours on a prorated scale. Written notification of required hours will be sent to the applicant at the time of registration.

216 217 218 219 220		104.02	indiv appr Cate	All continuing education hours for viduals registered with the Mississippi State Department of Health must be oved by the American Registry of Radiologic Technologists (ARRT) as egory A or above or approved by the Nuclear Medicine Technologist ifying Board (NMTCB).
221		104.03	Rep	orting Procedures for Continuing Education:
222 223 224 225			1.	If requested, it is the responsibility of the registrant to submit, at the time of renewal, written evidence in form and content satisfactory to the Department, proof that the continuing education requirement has been met.
226 227 228 229 230 231 232			2.	Persons who fail to accrue the required continuing education hours shall be issued a probationary registration for one (1) registration term. Failure to satisfy the terms and conditions of the probation and to accrue the required hours will result in the revocation of the registration. Hours accrued are first credited for the delinquent hours lacking from the previous registration period, and then applied to the present registration term.
233 234 235			3.	Probationary registrations will be issued for one registration term only. No ensuing registration may be probationary as a result of not meeting continuing education requirements.
236	105	EXCEI	PTIO	NS AND EXEMPTIONS
237 238		105.01		eptions: No person shall practice medical radiation technology unless he gistered by the Department, except as otherwise provided in this section.
239 240 241 242 243 244			1.	A student enrolled in and participating in an approved course of study for diagnostic radiologic technology, nuclear medicine technology or radiation therapy, who as a part of his clinical course of study applies ionizing radiation to a human being while under the supervision of a licensed practitioner, registered radiologic technologist, registered nuclear medicine technologist or registered radiation therapist;
245			2.	Laboratory personnel who use radiopharmaceuticals for in vitro studies;
246 247 248 249			3.	A dental hygienist or a dental assistant who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, who possesses a radiology permit issued by the Board of Dental Examiners and applies ionizing radiation under the specific direction of a licensed dentist;
250 251 252 253			4.	A chiropractic assistant who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, who possesses a radiology permit issued by the Board of Chiropractic Examiners and applies ionizing radiation under this specific direction of a licensed chiropractor;

254 255 256 257			5.	An individual who is permitted as a limited x-ray machine operator by the Mississippi State Board of Medical Licensure and applies ionizing radiation in a physician's office or a radiology clinic, or a licensed hospital in Mississippi under the specific direction of a licensed practitioner; and
258 259 260 261 262			6.	A student enrolled in and participating in an accredited course of study for diagnostic radiologic technology, nuclear medicine technology, or radiation therapy, and is employed by a physician's office, radiology clinic or a licensed hospital in Mississippi and applies ionizing radiation under the specific direction of a licensed practitioner.
263 264 265 266 267 268			7.	Nothing in these regulations is intended to limit, preclude, or otherwise interfere with the practices of a licensed practitioner as defined in the definitions of these regulations, who is duly licensed or registered by the appropriate agency of the State of Mississippi, provided that the agency specifically recognizes that the procedures covered by these regulations are within the scope of practice of the licensee or registrant.
269	106	CRIMI	NAL	OFFENSES AND PUNISHMENT
270 271		106.01		It is a misdemeanor for any person to violate any provisions these lations.
272 273 274		106.02	fine	ishment: Such misdemeanor shall, upon conviction, be punishable by a of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for more than six (6) months or by both fine and imprisonment for each offense.
275	107	REVO	CATI	ON, SUSPENSION, AND DENIAL OF REGISTRATION
276 277 278 279 280		107.01	Depa or, d actio	dards of Conduct: Registrants may, at the discretion of the artment, have their registration placed on probation, suspended or revoked, enied at the time of application or renewal, or have such other disciplinary on taken as deemed appropriate, if the Department determines that the strant:
281 282 283			1.	Is guilty of fraud or deceit in procuring or attempting to procure a registration or renewal of a registration to practice medical radiation technology.
284 285 286			2.	Has failed to service a patient in a professional manner, or is unfit or incompetent by reason of negligence, habits, or other causes of incompetency.
287			3.	Is habitually intemperate in the use of alcoholic beverage.
288 289			4.	Is addicted to, or has improperly obtained, possessed, used, or distributed habit-forming drugs or narcotics.

290		5.	Is guilty of dishonest or unethical conduct.
291 292		6.	Has practiced medical radiation technology after his registration has expired or has been suspended.
293 294		7.	Has practiced medical radiation technology under cover of any registration illegally or fraudulently obtained or issued.
295 296		8.	Has violated any of the rules, regulations, or Standards of Ethics of the American Registry of Radiologic Technologists.
297		9.	Has been convicted of any crime involving dishonest or unethical conduct.
298		10.	Has been convicted of any felony.
299 300		11.	Has violated, aided, or abetted others in violation of any provision of the Act or the regulations promulgated thereto.
301 302		12.	Has engaged in any conduct considered by the Department to be detrimental to the profession of medical radiation technology.
303 304 305	107.02	regis	Imary Suspension: The Department may summarily suspend a stration without a hearing, simultaneously with the filing of a formal plaint and notice of hearing, if the Department determines that:
306 307		1.	The health, safety, or welfare of the general public is in immediate danger; or
308		2.	The registrant's physical capacity to practice his profession is in issue; or
309		3.	The registrant's mental capacity to practice his profession is in issue.
310 311 312	107.03	profe	All complaints concerning a registrant, his business, or essional practice, shall be reviewed, evaluated, and if required, investigated ne Department.
313	107.04	<u>Noti</u>	ce of Charges and Hearing:
314 315		1.	Following the investigative process, the Department may file formal charges against the registrant. Such formal complaint shall, at a minimum, inform the registrant of the feets which are the basis of the charge and
316 317 318			inform the registrant of the facts which are the basis of the charge and which are specific enough to enable the registrant to defend against the charges.
319 320 321		2.	Each registrant, whose conduct is the subject of a formal charge which seeks to impose disciplinary action against the registrant, shall be served notice of the formal charge at least fifteen (15) days before the date of
322			hearing. A hearing shall be presided over by the Department's designee.

323 324 325 326			Service shall be considered to have been given if the notice was personally received by the registrant, or the notice was mailed certified, return receipt requested, to the registrant at the registrant's last known address as listed with the Department.
327 328		3.	The notice of the formal hearing shall consist at a minimum of the following information:
329			a. The time, place and date of hearing;
330 331			b. That the registrant shall appear personally at the hearing and may be represented by counsel;
332 333 334			 That the registrant shall have the right to produce witnesses and evidence in the registrant's behalf and shall have the right to cross- examine adverse witnesses and evidence;
335 336			d. That the hearing could result in disciplinary action being taken against the registrant's registration;
337 338			e. That rules for the conduct of these hearings exist and it may be in the registrant's best interest to obtain a copy; and
339 340 341 342 343			f. That the Department's designee shall preside at the hearing and following the conclusion of the hearing shall make findings of facts, conclusions of law and recommendations, separately stated to the State Health Officer as to what disciplinary action, if any, should be imposed on the registration.
344 345 346 347		4.	The Department's designee shall hear evidence produced in support of the formal charges and contrary evidence produced by the registration. At the conclusion of the hearing, the State Health Officer shall issue an order, within sixty (60) days.
348 349		5.	Disposition of any complaints may be made by consent order or stipulation between the Department and the registrant.
350 351		6.	All proceedings pursuant to this section are matters of public record and shall be preserved pursuant to state law.
352 353 354	107.05	sanc	artment Sanctions: The Department may impose any of the following tions, singly or in combination, when it finds that a registrant is guilty of of the offenses set forth in section 8-2 above:
355		1.	Revocation of the registration;
356		2.	Suspension of the registration, for any period of time;

357			3.	ensure the registrant;	
358			4.	suance of a letter of reprimand to the registrant;	
359 360			5.	ace a registrant on probationary status and require the bmit to any of the following:	registrant to
361 362				report regularly to the board upon matters which are probation;	e the basis of
363 364 365				continue to renew professional education until a sat skill has been attained in those areas which are the or	
366				such other reasonable requirements or restrictions a	s are proper;
367			6.	efuse to renew a registration; or	
368 369 370			7.	evoke probation which has been granted and impose a sciplinary action in this subsection when the requirem we not been fulfilled or have been violated.	
371 372 373		107.06	_	Any person aggrieved by a decision of the Board soll to the Hinds County Circuit Court, in the manner profithe State of Mississippi.	
374	108	FEES			
375 376 377		108.01	Miss	of Payment: The following fees, where applicable ppi State Department of Health by certified check, cas order. Fees paid to the Department are non-refundable	shiers check, or
378		108.02	Sche	le of Fees:	
379			1.	itial Registration Fee - \$50.00	
380			2.	enewal Fee-\$50.00	
381			3.	emporary Permit - \$25.00	
382			4.	einstatement Fee - \$200.00	
383			5.	eplacement Fee - \$50.00	
384			6.	egistration Verification Fee - \$25.00	
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386					

109 387 ADMINISTRATIVE GRIEVANCE PROCEDURE 109.01 Administrative Appeals: All persons aggrieved by a decision regarding the 388 initial application for registration or the renewal of registration shall have the 389 right of administrative appeal and a hearing to be conducted according to the 390 policy of the Department of Health. 391 392 109.02 Notification: Written notice will be provided to all applicants regarding denial of an original registration or a renewal registration. Such notice shall 393 contain the reason thereof and shall offer the applicant an opportunity to submit 394 395 additional information pertinent to their application for a second review by the Department. 396 397 109.03 **Hearing:** If requested in writing within the specified time frame a hearing will be 398 399 provided in which the applicant may show cause why the registration should be granted or renewed. 400 401 Within sixty (60) days of the hearing, or other such time frame as determined during the hearing, written findings of fact, together with a 402 recommendation for action on the registration in question, shall be 403 forwarded to the State Health Officer. The State Health Officer shall 404 405 decide what action will be taken on the recommendation.

1		Title 15 - Mississippi State Department of Health
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3		Subpart 60 – Professional Licensure
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27		technology are diagnostic radiologic technology, nuclear medicine
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103 104 105		101.02	Depa		The Council shall meet at places and at times designated by the at. A quorum shall consist of five (5) members of the Council, and cessary for the Council to take action by vote.
106	102	REGIS	TRAT	LIUN	

102.01 Types of Registration: 107 "Radiologic technologist registration" means the registration issued by the 108 1. Department which permits a person to apply x-radiation or ionizing 109 radiation to any part of the human body for diagnostic purposes, and 110 includes the administration of parenteral and enteral contrast media and 111 administration of other medications or procedures incidental to radiologic 112 examinations... 113 "Nuclear medicine technologist registration" means the registration issued 114 by the Department which permits a person to perform in vivo imaging and 115 measurement procedures and in vitro nonimaging laboratory studies, to 116 prepare radiopharmaceuticals, and to administer diagnostic and therapeutic 117 doses of radiopharmaceuticals to human beings while under the 118 supervision of a licensed practitioner who is identified as an authorized 119 user on a Department license that authorizes the medical use of radioactive 120 121 material. "Radiation therapist registration" means the registration issued by the 122 123 Department which permits a person to apply x-radiation and the ionizing radiation emitted from particle accelerators, cobalt-60 units and sealed 124 sources of radioactive material to human beings for therapeutic purposes 125 while under the supervision of a licensed radiation oncologist or a board 126 certified radiologist who is identified as an authorized user by the 127 Department to possess and apply x-radiation and the ionizing radiation 128 emitted from particle accelerators, cobalt-60 units and sealed sources of 129 130 radioactive material to human beings for therapeutic purposes. 131 102.02 General Requirements An applicant for registration with the Department shall submit to the Department, verified under oath, written evidence in form 132 and content satisfactory to the Department that the applicant: 133 134 1. is of good moral character, which is a continuing requirement for registration. 135 is a United States citizen or has status as a legal resident alien, which is a 136 continuing requirement for registration. 137 has not been convicted of a crime relating to dishonest or unethical 138 conduct, which is a continuing requirement for registration. 139 has not been declared mentally incompetent by any court, and if any such 140 decree has ever been rendered, that the decree has since been changed, 141 142 which is a continuing requirement for registration.

is free from dependency on alcohol or drugs, which is a continuing

requirement for registration.

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145 146 147	6. has not had a license or registration in medical radiation technology suspended or revoked in any other state, jurisdiction, or country, which is a continuing requirement for registration.
148 102.03	Specific Registration Requirements:
149	1. Radiologic technologist registration- An applicant for registration as a
150	radiologic technologist shall submit to the Department written evidence in
151	form and content satisfactory to the Department that the applicant is an
152	American Registry of Radiologic Technologist (ARRT) Registered
153	Medical Radiologic Technologist.
454	2. Newless we dising technologist registration. An applicant for registration
154	2. Nuclear medicine technologist registration - An applicant for registration
155	as a nuclear medicine technologist shall submit to the Department, verified
156	by oath, written evidence in form and content satisfactory to the
157	Department that the applicant is an American Registry of Radiologic
158	Technologist (ARRT) Registered Nuclear Medicine Technologist and/or
159	the Nuclear Medicine Technologist Certifying Board (NMTCB).
160	3. Radiation therapist registration - An applicant for registration as a
161	radiation therapist technologist shall submit to the Department written
162	evidence in form and content satisfactory to the Department that the
163	applicant is an American Registry of Radiologic Technologist (ARRT)
164	Registered Radiation Therapist Technologist.
165 102.04	Temporary Permit: The Department may, in its discretion, issue a
166	temporary permit to practice a specialty of medical radiation technology for a
167	period of six (6) months to an applicant for a registration, pending the
168	completion of the requirements for registration, providing the applicant submits
169 170	to the Department, verified by oath, in form and content satisfactory to the Department that:
170	Department that:
171	 the applicant has successfully completed an approved program accredited
172	by the JRCERT or the JRCNMT, or their successor organizations, in the
173	registration specialty; and
174	2. the applicant has qualified to sit for the appropriate ARRT or NMTCB
175	specialty examination.
470	2 A li di di di di
176	3. Applications under this section must be submitted within 1 year from the
177	date of graduation from an approved program.
178 102.05	Abandonment: An application shall be deemed abandoned by the
179	Department if, after two years from the date of filing, the requirements for
180	registration have not been completed and submitted to the Department.
181 102.06	Production and Display of Registration: A person registered to practice
182	medical radiation technology in the State of Mississippi shall be issued a

183 184 185 186 187		"Certificate of Registration" and "Registration Identification Card Letter." The "Certificate of Registration" or copy thereof shall be on record at the place(s) of employment. The licensee shall carry the "Registration Identification Card" with them at all times when providing services and show said ID card when requested.
188 10	3 RENEV	WAL OF REGISTRATION
189	103.01	General Provisions:
190 191		 The Department shall issue registrations which shall be renewed biennially, after the initial registration phase.
192 193		 The licensure year shall be construed as September 1st through August 31st.
194 195 196 197	103.02	<u>Procedure for Renewal of Registration:</u> The Department shall mail notices, at least thirty (30) days prior to the renewal date, to the last address registered with the board, to the persons to whom registrations were issued or renewed during the preceding renewal period. The registrant shall:
198		1. complete the renewal form, either on-line or in paper form;
199 200		 if required, submit proof of continuing education credit as detailed in Section V of these regulations;
201 202		3. file the above with the Department prior to the end of the renewal period with the appropriate fee.
203 204 205 206 207 208	103.03	<u>Failure to Renew:</u> A registrant who does not file, with the Department, his renewal application within the renewal period will be deemed to have allowed his registration to lapse. Said registration may be reinstated by the Department, in its discretion, by the payment of the renewal fee and a reinstatement fee, provided said application for reinstatement is made within two (2) years of the end of the renewal period.
209 10	4 CONT	INUING EDUCATION
210	104.01	Requirements:
211 212		 Regulations set the requirement of twenty-four (24) clock hours to be accrued during the registration term.
213 214 215 216		 Individuals applying for initial registration within a registration term must accrue continuing education hours on a prorated scale. Written notification of required hours will be sent to the applicant at the time of registration.

217 218 219 220 221		104.02	indiv appr Cate	All continuing education hours for viduals registered with the Mississippi State Department of Health must be oved by the American Registry of Radiologic Technologists (ARRT) as egory A or above or approved by the Nuclear Medicine Technologist ifying Board (NMTCB).
222		104.03	Rep	orting Procedures for Continuing Education:
223 224 225 226			1.	If requested, it is the responsibility of the registrant to submit, at the time of renewal, written evidence in form and content satisfactory to the Department, proof that the continuing education requirement has been met.
227 228 229 230 231 232 233			2.	Persons who fail to accrue the required continuing education hours shall be issued a probationary registration for one (1) registration term. Failure to satisfy the terms and conditions of the probation and to accrue the required hours will result in the revocation of the registration. Hours accrued are first credited for the delinquent hours lacking from the previous registration period, and then applied to the present registration term.
234 235 236			3.	Probationary registrations will be issued for one registration term only. No ensuing registration may be probationary as a result of not meeting continuing education requirements.
237	105	EXCE	PTIO	NS AND EXEMPTIONS
238 239		105.01		eptions: No person shall practice medical radiation technology unless he gistered by the Department, except as otherwise provided in this section.
240 241 242 243 244 245			1.	A student enrolled in and participating in an approved course of study for diagnostic radiologic technology, nuclear medicine technology or radiation therapy, who as a part of his clinical course of study applies ionizing radiation to a human being while under the supervision of a licensed practitioner, registered radiologic technologist, registered nuclear medicine technologist or registered radiation therapist;
246			2.	Laboratory personnel who use radiopharmaceuticals for in vitro studies;
247 248 249 250			3.	A dental hygienist or a dental assistant who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, who possesses a radiology permit issued by the Board of Dental Examiners and applies ionizing radiation under the specific direction of a licensed dentist;
251 252 253 254			4.	A chiropractic assistant who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, who possesses a radiology permit issued by the Board of Chiropractic Examiners and applies ionizing radiation under this specific direction of a licensed chiropractor;

255 256 257 258 259 260 261		5.	An individual who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, who possesses a radiology permit issued permitted as a limited x-ray machine operator by the Mississippi State Board of Medical Licensure and applies ionizing radiation in a physician's office or a radiology clinic, or a licensed hospital in Mississippi under the specific direction of a licensed physician practitioner; and
262 263 264 265 266 267 268		6.	An individual who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, A student enrolled in and participating in an accredited course of study for diagnostic radiologic technology, nuclear medicine technology, or radiation therapy, and is employed by a physician's office, radiology clinic or a who is employed by a licensed hospital in Mississippi and applies ionizing radiation under the specific direction of a licensed practitioner.
269 270 271 272 273 274		7.	Individuals exempt from registration pursuant to sections 105.01 4, 5, and 6, shall be required to complete twelve (12) hours of continuing education in a two (2) year period, approved by the American Registry of Radiologic Technologists (A.R.R.T.), the Mississippi State Board of Medical Licensure, or the Mississippi State Board of Chiropractic Examiners, with six (6) of the continuing education hours in radiologic protection.
275 276 277 278 279 280		8.	Nothing in these regulations is intended to limit, preclude, or otherwise interfere with the practices of a licensed practitioner as defined in the definitions of these regulations, who is duly licensed or registered by the appropriate agency of the State of Mississippi, provided that the agency specifically recognizes that the procedures covered by these regulations are within the scope of practice of the licensee or registrant.
281 106	CRIMI	NAL	OFFENSES AND PUNISHMENT
282 283	106.01		nses: It is a misdemeanor for any person to violate any provisions these lations.
284 285 286	106.02	fine o	ishment: Such misdemeanor shall, upon conviction, be punishable by a of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for nore than six (6) months or by both fine and imprisonment for each offense.

287	107	REVU	CAII	ON, SUSPENSION, AND DENIAL OF REGISTRATION
288 289 290 291		107.01	Depa or, d	adards of Conduct: Registrants may, at the discretion of the artment, have their registration placed on probation, suspended or revoked, enied at the time of application or renewal, or have such other disciplinary on taken as deemed appropriate, if the Department determines that the
292			regis	strant:
293 294 295			1.	Is guilty of fraud or deceit in procuring or attempting to procure a registration or renewal of a registration to practice medical radiation technology.
296 297 298			2.	Has failed to service a patient in a professional manner, or is unfit or incompetent by reason of negligence, habits, or other causes of incompetency.
299			3.	Is habitually intemperate in the use of alcoholic beverage.
300 301			4.	Is addicted to, or has improperly obtained, possessed, used, or distributed habit-forming drugs or narcotics.
302			5.	Is guilty of dishonest or unethical conduct.
303 304			6.	Has practiced medical radiation technology after his registration has expired or has been suspended.
305 306			7.	Has practiced medical radiation technology under cover of any registration illegally or fraudulently obtained or issued.
307 308			8.	Has violated any of the rules, regulations, or Standards of Ethics of the American Registry of Radiologic Technologists.
309			9.	Has been convicted of any crime involving dishonest or unethical conduct.
310			10.	Has been convicted of any felony.
311 312			11.	Has violated, aided, or abetted others in violation of any provision of the Act or the regulations promulgated thereto.
313 314			12.	Has engaged in any conduct considered by the Department to be detrimental to the profession of medical radiation technology.
315 316 317		107.02	regis	mary Suspension: The Department may summarily suspend a tration without a hearing, simultaneously with the filing of a formal plaint and notice of hearing, if the Department determines that:
318 319			1.	The health, safety, or welfare of the general public is in immediate danger; or

320		2.	Th	e registrant's physical capacity to practice his profession is in issue; or
321		3.	Th	e registrant's mental capacity to practice his profession is in issue.
322	107.03	Con	ıplai	ints: All complaints concerning a registrant, his business, or
323				onal practice, shall be reviewed, evaluated, and if required, investigated
324		•		epartment.
325	107.04	Noti	ce o	f Charges and Hearing:
326		1.	Fol	llowing the investigative process, the Department may file formal
327				arges against the registrant. Such formal complaint shall, at a minimum
328				form the registrant of the facts which are the basis of the charge and
329				ich are specific enough to enable the registrant to defend against the
330				arges.
331		2.	Fac	ch registrant, whose conduct is the subject of a formal charge which
332		150		eks to impose disciplinary action against the registrant, shall be served
333				tice of the formal charge at least fifteen (15) days before the date of
334				aring. A hearing shall be presided over by the Department's designee.
335				
336				rvice shall be considered to have been given if the notice was personally
				eived by the registrant, or the notice was mailed certified, return receipt
337 338				uested, to the registrant at the registrant's last known address as listed the Department.
		2		•
339 340		3.		e notice of the formal hearing shall consist at a minimum of the lowing information:
				· · · · · · · · · · · · · · · · · · ·
341			a.	The time, place and date of hearing;
342			b.	That the registrant shall appear personally at the hearing and may be
343				represented by counsel;
344			c.	That the registrant shall have the right to produce witnesses and
345				evidence in the registrant's behalf and shall have the right to cross-
346				examine adverse witnesses and evidence;
347			d.	That the hearing could result in disciplinary action being taken against
348				the registrant's registration;
349			e.	That rules for the conduct of these hearings exist and it may be in the
350				registrant's best interest to obtain a copy; and
351			f.	That the Department's designee shall preside at the hearing and
352				following the conclusion of the hearing shall make findings of facts,
353				conclusions of law and recommendations, separately stated to the
354				State Health Officer as to what disciplinary action, if any, should be
355				imposed on the registration.

356 357 358 359		4.	for cor	e Department's designee shall hear evidence produced in support of the mal charges and contrary evidence produced by the registration. At the iclusion of the hearing, the State Health Officer shall issue an order, thin sixty (60) days.
360 361		5.		sposition of any complaints may be made by consent order or bulation between the Department and the registrant.
362 363		6.		proceedings pursuant to this section are matters of public record and all be preserved pursuant to state law.
364 365 366	107.05	sanc	tions	The Department may impose any of the following s, singly or in combination, when it finds that a registrant is guilty of the offenses set forth in section 8-2 above:
367		1.	Re	vocation of the registration;
368		2.	Sus	spension of the registration, for any period of time;
369		3.	Cei	nsure the registrant;
370		4.	Issi	uance of a letter of reprimand to the registrant;
371 372		5.		ce a registrant on probationary status and require the registrant to mit to any of the following:
373 374			a.	report regularly to the board upon matters which are the basis of probation;
375 376 377			b.	continue to renew professional education until a satisfactory degree of skill has been attained in those areas which are the basis of probation; or
378			c.	such other reasonable requirements or restrictions as are proper;
379		6.	Re	fuse to renew a registration; or
380 381 382		7.	dis	voke probation which has been granted and impose any other ciplinary action in this subsection when the requirements of probation we not been fulfilled or have been violated.
383 384 385	107.06		peal	Any person aggrieved by a decision of the Board shall have a right to the Hinds County Circuit Court, in the manner provided for in the the State of Mississippi.

386	108	FEES	
387		108.01	Method of Payment: The following fees, where applicable, are payable to the
388 389			Mississippi State Department of Health by certified check, cashiers check, or money order. Fees paid to the Department are non-refundable.
303			money order. Tees paid to the Department are non-refundable.
390		108.02	Schedule of Fees:
391			1. The first full two (2) year term of registration shall begin on September 1.
392			1998, and all licenses issued prior to that date will be subject to renewal
393			on September 1, 1998.
394			2. Initial Registration Fee
395			a. before September 1, 1998 - \$25.00
396			b. after September 1, 1998 - \$50.00
397			3. Renewal Fee-\$50.00
398			4. Temporary Permit - \$25.00
399			5. Reinstatement Fee - \$200.00
400			6. Replacement Fee - \$50.00
401			7. Registration Verification Fee - \$25.00
402	109	<u>ADMIN</u>	NISTRATIVE GRIEVANCE PROCEDURE
403		109.01	Administrative Appeals: All persons aggrieved by a decision regarding the
404			initial application for registration or the renewal of registration shall have the
405			right of administrative appeal and a hearing to be conducted according to the
406			policy of the Department of Health.
407		109.02	Notification: Written notice will be provided to all applicants regarding
408			denial of an original registration or a renewal registration. Such notice shall
409			contain the reason thereof and shall offer the applicant an opportunity to submit
410			additional information pertinent to their application for a second review by the
411			Department.
412		109.03	Hearing:
413			1. If requested in writing within the specified time frame a hearing will be
414			provided in which the applicant may show cause why the registration
415			should be granted or renewed.
416			2. Within sixty (60) days of the hearing, or other such time frame as
417			determined during the hearing, written findings of fact, together with a

418	recommendation for action on the registration in question, shall be
419	forwarded to the State Health Officer. The State Health Officer shall
420	decide what action will be taken on the recommendation.